

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Jermal Stephon Roy-Brown,

PETITIONER

v.

Warden of F.C.I. Bennettsville,

RESPONDENT

Case No. 6:22-cv-00456-TLW

Order

Petitioner Jermal Stephon Roy-Brown (“Petitioner”), proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1. The matter now comes before the Court for review of the Report and Recommendation (“Report”) filed by United States Magistrate Judge Kevin F. McDonald. ECF No. 11. In the Report, the magistrate judge recommends that the petition be summarily dismissed because (1) Petitioner has failed to exhaust his state court remedies, and (2) because abstention is mandated while Petitioner’s current criminal charges are adjudicated in state court. *Id.* at 3–7. Petitioner did not file objections to the Report. This matter is now ripe for decision. The Petitioner is a state pre-trial detainee who faces charges in the Charleston County General Sessions Court.

The Court is charged with conducting a de novo review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, the Court is not required to give any explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 200

(4th Cir. 1983). In such a case, “a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

The Court has carefully reviewed the Report. For the reasons stated by the magistrate judge, the Report, ECF No. 11, is **ACCEPTED**. This action is hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
Senior United States District Judge

January 17, 2023
Columbia, South Carolina